

JONES DAY

51 LOUISIANA AVENUE, N.W. • WASHINGTON, D.C. 20001.2113
TELEPHONE: +1.202.879.3939 • FACSIMILE: +1.202.626.1700

DIRECT NUMBER: (202) 879.3685
GPRITSKER@JONESDAY.COM

September 9, 2022

VIA ECF

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Room 430
New York, NY 1007

Re: *In re Terrorist Attacks of September 11, 2001*, 03 MDL 1570 (S.D.N.Y.) (GBD) (SN)

Dear Judge Netburn:

Dubai Islamic Bank (“DIB”) respectfully requests a one-week extension to respond to Plaintiffs’ “letter motion to compel” (ECF No. 8505), filed on September 7. DIB is not certain as to the procedure that applies to Plaintiffs’ letter, which appears most closely to be a pre-motion request under Local Rule 37.2 and Your Honor’s Individual Rules of Practice. Under those rules, DIB’s response would be due on Monday, September 12, 2022. Assuming that is the applicable deadline, DIB seeks a one-week extension to Monday, September 19. DIB’s lead counsel Steven Cottreau is traveling internationally and Juan Morillo is in trial. In addition, DIB’s reply brief in support of its motion for summary judgment and renewed motion to dismiss based on lack of personal jurisdiction is due next week on September 16.

In addition, DIB respectfully requests this Court’s guidance given the different procedures under which motions to compel in this MDL have proceeded. In particular, DIB would like to confirm whether (i) the Court wants this issue fully briefed through either formal briefing or letter motions that involves three rounds of briefing (including a reply) or (ii) the Court wants the parties to first follow a pre-motion process, as contemplated under Local Rule 37.2.

DIB has conferred with Plaintiffs, who do not oppose DIB’s extension request, subject to DIB’s agreeing to a specific deadline for Plaintiffs’ reply on September 26, 2022. Plaintiffs have taken the position that they are entitled to a 3-page reply. DIB would like the Court to clarify whether Plaintiffs’ are entitled to a reply given the uncertainty in procedure as noted above.

Accordingly, DIB respectfully requests that the Court grant a one-week extension to September 19, 2022 for DIB to file a letter response to Plaintiffs’ letter. DIB further requests the Court’s guidance on its preferred procedure for the motion to compel.

We thank the Court for its attention to this matter.

Sincerely yours,

/s/ Gabrielle Pritsker

Gabrielle Pritsker

Jones Day

51 Louisiana Avenue, NW

Washington, D.C. 20001

Counsel for Defendant Dubai Islamic Bank

cc: All MDL Counsel of Record (via ECF)